

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEIKO KAWAMURA,

Plaintiff,

v.

MAMMOTH HOSPITAL, et al.,

Defendants.

Case No. 1:25-cv-00789-KES-EPG

ORDER FOR CLERK OF COURT TO SEAL  
COMPLAINT, IFP APPLICATION, AND  
MOTION FOR LEAVE TO USE NAME OF  
MINOR PLAINTIFF

(ECF Nos. 1, 2, 3).

ORDER FOR PLAINTIFF TO FILE  
REDACTED COPIES OF COMPLAINT, IFP  
APPLICATION, AND MOTION FOR LEAVE  
TO USE NAME OF MINOR PLAINTIFF

(ECF Nos. 1, 2, 3).

ORDER DENYING MOTION FOR LEAVE  
TO USE NAME OF MINOR PLAINTIFF  
WITHOUT PREJUDICE

(ECF No. 3)

ORDER TO SHOW CAUSE WHY CLAIMS  
BROUGHT ON BEHALF OF MINOR  
PLAINTIFF K.N.B. SHOULD NOT BE  
DISMISSED FOR LACK OF ATTORNEY

TWENTY-ONE DAY DEADLINE

Plaintiff Keiko Kawamura is proceeding *pro se* in this civil action filed against Defendants Mammoth Hospital and Northern Inyo Healthcare District, with Plaintiff alleging various causes of actions that generally stem from the medical care provided, or lack thereof, during the birth of her daughter, K.N.B., who is a minor. (*See* ECF No. 1). Plaintiff purports to

1 bring claims on behalf of herself and on behalf of her minor child, K.N.B. (*Id.* at 2). Plaintiff  
2 Kawamura has filed this case *pro se*, without an attorney. (ECF No. 1, at 19).

3 However, Plaintiff may not proceed on behalf of her minor child without having an  
4 attorney. In *Johns v. County of San Diego*, the Ninth Circuit held that “a parent or guardian  
5 cannot bring an action on behalf of a minor child without retaining a lawyer.” 114 F.3d 874, 877  
6 (9th Cir. 1997). This rule remains the law of the Circuit. *Grizzell v. San Elijo Elementary School*  
7 110 F.4th 1177, 1181 (9th Cir. 2024); *cert. denied sub nom. Grizzell v. San Elijo Elementary*, No.  
8 24-812, 2025 WL 1426678 (U.S. May 19, 2025) (“Our panel, however, is bound by *Johns*, which  
9 holds that a parent may not proceed *pro se* on her children’s behalf.”).

10 Thus, the Court will order Plaintiff to show cause why Plaintiff’s claims on behalf of her  
11 minor daughter should not be dismissed because K.N.B. is not represented by a lawyer.

12 Additionally, Federal Rule of Civil Procedure 5.2(a)(3) requires, “[u]nless the court orders  
13 otherwise,” that only a minor’s initials be used in court filings. Additionally, Rule 5.2(h) provides  
14 that “[a] person waives the protection of Rule 5.2(a) as to the person’s own information by filing  
15 it without redaction and not under seal.” Here, Plaintiff has filed various documents since  
16 initiating this case, including the complaint, *in forma pauperis* (IFP) application, and motion for  
17 leave to use name of minor Plaintiff, that all identify K.N.B. by her full name in violation of this  
18 rule. (ECF Nos. 1, 2, 3).

19 Although Plaintiff has filed a motion for leave to use the name of minor Plaintiff, the  
20 Court cannot grant that motion because, as explained above, Plaintiff cannot represent her minor  
21 daughter without a lawyer. Thus, Plaintiff cannot authorize K.N.B.’s full name contrary to the  
22 standard redaction protections of Rule 5.2(a)(3).

23 Accordingly, the Court will order the Clerk of Court to seal these filings, set a deadline for  
24 Plaintiff to file redacted copies, and deny the motion for leave to use name of minor Plaintiff  
25 without prejudice to the motion being refiled if counsel is obtained for K.N.B.

26 Accordingly, IT IS ORDERED as follows:

- 27 1. The Clerk of Court shall seal the complaint, IFP application, and motion for leave to use  
28 name of minor Plaintiff. (ECF Nos. 1, 2, 3).
2. Plaintiff shall file redacted copies of the complaint, IFP application, and motion for leave

1 to use name of minor Plaintiff within 21 days from the entry of this order. (ECF Nos. 1, 2,  
2 3).

- 3 3. Plaintiff's motion for leave to use name of minor Plaintiff is denied without prejudice to  
4 refiling of the motion should counsel appear on behalf of K.N.B. (ECF No. 3).
- 5 4. Plaintiff shall file a written response to this order within 21 days of its entry showing  
6 cause why the claims of minor K.N.B. should not be dismissed without prejudice because  
7 Plaintiff has no authority to represent K.N.B. Alternatively, if counsel enters an  
8 appearance on behalf of K.N.B. in this time period, the Court will vacate the order to  
9 show cause.
- 10 5. Failure to comply with this order may result in the dismissal of the claims brought on  
11 behalf of K.N.B., or all claims.

12 IT IS SO ORDERED.

13 Dated: July 11, 2025

14 /s/ Eric P. Shroy  
15 UNITED STATES MAGISTRATE JUDGE  
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